

ORIGINAL

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**FILED**  
DISTRICT COURT OF GUAM

OCT 10 2005

MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM

05-00050

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
 )  
 )  
 )  
vs. )  
 )  
JIN YOUNG OH, )  
 )  
Defendant. )

MAGISTRATE CASE NO. \_\_\_\_\_

COMPLAINT

IMPORTATION OF  
METHAMPHETAMINE  
HYDROCHLORIDE  
[21 U.S.C. §§ 952(a) & 960,  
and 18 U.S.C. § 2]

THE UNDERSIGNED COMPLAINANT CHARGES UPON INFORMATION AND BELIEF  
THAT:

On or about October 9, 2005, in the District of Guam and elsewhere, the defendant, JIN  
YOUNG OH, did unlawfully, intentionally, and knowingly import into the United States from a  
place outside thereof, approximately 2,078 grams, gross weight, of methamphetamine  
hydrochloride, a schedule II controlled substance, in violation of Title 21, United States Code,  
Sections 952(a) and 960, and Title 18, United States Code, Section 2.

1 COMPLAINANT FURTHER STATES:

2 I, John S.A. Duenas, being a Special Agent with the U.S. Immigration and Customs  
3 Enforcement (ICE) of the Department of Homeland Security, and acting in my official capacity,  
4 set forth the following facts:

5 1. I am a Special Agent with the U.S. Immigration and Customs Enforcement, formerly  
6 known as the United States Customs Service, Office of Investigations. I have been employed as  
7 a Special Agent for approximately five (5) years. Prior to my employment with the Customs  
8 Service, I was a Police Officer with the Guam Police Department for approximately 12 years.

9 2. I know from my training and experience that it is common practice for large-scale  
10 methamphetamine traffickers to travel to their purchase and distribution areas to facilitate their  
11 trafficking. After purchasing methamphetamine, these methamphetamine traffickers will  
12 transport or cause to be transported methamphetamine. The methods of transportation include,  
13 but are not limited to, commercial airlines, private automobiles, government and contract mail  
14 services.

15 3. On October 9, 2005, at about 2:35 a.m., Guam Customs Officer Joseph  
16 Gange conducted a secondary inspection on arriving passenger JIN YOUNG OH. OH arrived in  
17 Guam on board Korean Airlines flight 805 from Incheon, Korea. While conducting the  
18 secondary inspection, Officer Gange discovered a box with the brand name "microlab" in the  
19 beige colored checked baggage of OH. Officer Gange removed the box and conducted an x-ray  
20 examination of the box and its contents. Officer Gange observed that the speaker in the box  
21 contained a foreign object.

22 4. Officer Gange opened the box, removed the speaker from the box and proceeded to  
23 remove screws that held the speaker together. As Officer Gange removed the screws, Officer  
24 Gange smelled a strong odor emitting from within the speaker. The odor was consistent with  
25 that of glue. Officer Gange conducted a further inspection of the speaker by probing through the  
26 opening hole where the wires run through the speaker. As Officer Gange removed the prod, he  
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1 noticed a crystal substance on the prod. Officer Gange conducted a field test of the substance on  
2 the prod which resulted in a presumptive positive for amphetamines.

3 5. Officer Gange with the assistance of a Korean translator asked OH how did OH  
4 acquire the speaker, and OH said that he purchased it at a flea market four (4) months ago. OH  
5 told Officer Gange that the speaker is for Robert Kim in Guam.

6 6. On October 9, 2005, at about 8:20 a.m., Special Agent Danny Cho of the Drug  
7 Enforcement Administration advised OH of his constitutional rights which OH acknowledged  
8 and waived. OH advised your affiant that he was recruited by someone through an internet chat  
9 room in Korea. OH was offered \$4,500.00 to carry a box containing speakers and deliver it to  
10 someone in Guam. OH was instructed to wear a white hat and glasses and that once he arrives in  
11 Guam and walks out of the Customs area he would be approached by the recipient of the box.  
12 Once OH successfully delivers the box and its contents OH would be paid \$4,500.00.

13 7. OH stated that on the day of his departure from Korea, he received the box and its  
14 contents from an "errand service." OH described an "errand service" to be a company that  
15 delivers mail or other items within Korea. OH stated that he did not know that the speakers  
16 contained crystal methamphetamine but suspected that it contained something illegal. OH said  
17 that his suspicion is based on how much he was to be paid and also the price of the airline ticket.

18 8. Guam Customs Officer Franklin Taitague and Task Force Agent Erwin Fejeran  
19 opened the speaker and removed 14 bags containing a crystalline substance. The plastic bags  
20 were secreted in the speaker box sprayed with foam. The total gross weight for the 14 bags and  
21 its contents is 2078 grams.

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1           9. Based on the foregoing, I have probable cause to believe that JIN YOUNG OH has  
2 committed the offense of importation of methamphetamine hydrochloride in violation of Title  
3 21, United States Code, §§ 952(a) and 960, and Title 18, United States Code, Section 2.

4           DATED this 10<sup>th</sup> day of October, 2005.

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7 \_\_\_\_\_  
8 JOHN S. A. DUENAS  
9 Special Agent  
10 Bureau of Immigration & Customs Enforcement  
11 Department of Homeland Security

12  
13 SUBSCRIBED AND SWORN TO before me on this 10<sup>th</sup> day of October, 2005.

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15 \_\_\_\_\_  
16 FRANCES M. TYDINGCO-GATEWOOD  
17 Designated Judge  
18 District Court of Guam  
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## Place of Offense:

City Hagåtña

## Related Case Information:

Country/Parish N/ASuperseding Indictment \_\_\_\_\_ Docket Number **05-00050**  
Same Defendant \_\_\_\_\_ New Defendant X  
Search Warrant Case Number \_\_\_\_\_  
R 20/ R 40 from District of \_\_\_\_\_

## Defendant Information:

Juvenile: Yes \_\_\_\_\_ No X Matter to be sealed: \_\_\_\_\_ Yes X NoDefendant Name Jin Young Oh

Allias Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_Birth date XX/XX/1970 SS# N/A Sex M Race A Nationality Republic of South Korea

## U.S. Attorney Information:

AUSA Marivic P. DavidInterpreter: \_\_\_\_\_ No X YesList language and/or dialect: Korean

## Location Status:

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody☐ On Pretrial Release**RECEIVED**  
OCT 11 2005DISTRICT COURT OF GUAM  
HAGATNA, GUAM

## U.S.C. Citations

Total # of Counts: 1 \_\_\_\_\_ Petty \_\_\_\_\_ Misdemeanor X Felony

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set	1 <u>21 U.S.C. §§ 952(a)(1) &amp; 1960; and 18 U.S.C. § 2</u>	<u>IMPORTATION OF METHAMPHETAMINE HYDROCHLORIDE</u>	<u>1</u>
Set	2 _____	_____	_____

Date: 10/11/05 Signature of AUSA: 